



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ethan Lerner and Seishiro Fujii Art Unit : 1617
Serial No. : 10/057,247 Examiner : Jennifer M. Kim
Filed : January 25, 2002
Title : NOS INHIBITORS FOR TREATMENT OF WRINKLES

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF MAY 4, 2005

In reply to the Office Action of May 4, 2005, Applicants submit the following remarks.

Claim Rejections Under 35 U.S.C. § 103

Claims 1, 2, 4, 5, 7, 8, 10, 11, 18, 21, and 22 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Lerner et al. (WO 98/33379) in view of Zucchetti et al. (U.S. Patent No. 6,037,481), and further in view of Parab (U.S. Patent No. 5,885,596) and Yamaguchi et al. (EP 0755671 A1).

The Examiner has based the rejection primarily on the following paragraph from Lerner (page 4, lines 1 to 4).

In another aspect, the invention features, a method of treating a subject, e.g., a human, for sunburn or other exposure to ultra-violet light, or for unwanted effects of aging on the skin. The method includes administering to the subject a treatment which decreases the level of nitric oxide (NO) in the skin.

This paragraph only mentions broad categories—sunburn, UV exposure, and aging—that can be treated using L-NAME, an agent that decreases the level of NO in the skin and thereby decreases cell death. However, Lerner does not disclose the use of L-NAME to treat wrinkles, fine wrinkles, or wrinkles caused by exposure to UVB radiation. To compensate for Lerner's deficiency, the Examiner cites Zucchetti as teaching that "aging manifests itself on the skin by the loss of elasticity, loss of turgency, formation of wrinkles and the appearance of stains"

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